

BILL NO. G-77-06-42

GENERAL ORDINANCE NO. G-33-77.

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain subdivision and street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain subdivision and street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I. C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following subdivision and street, to-wit:

Lots #4 thru #10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

*Vivian H. Schmidt*  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,  
*[Signature]*

CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 6-28-77

Charles W. Hunter  
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.  
PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	<u>✓</u>	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 9-13-77

Charles W. Hunter  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-33-77 on the 12th day of September, 1977.  
ATTEST: (SEAL)

Charles W. Hunter  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Hunter  
CITY CLERK

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock \_\_\_\_\_ M., E.S.T.

Robert E. Armstrong  
MAYOR

Bill No. G-77-06-42

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending General Ordinance No. G-97 by authorizing the vacation of a  
certain subdivision and street

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

*Vivian G. Schmidt*  
*Winfield C. Moses Jr.*  
*William T. Hinga*  
*Donald Schmidt*  
*Samuel J. Talarico*

DATE 9/3/77 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK



## R E S O L U T I O N

WHEREAS, CHARLES E. DOWNEY (Contract Buyer) and CHARLES D. MCKINLEY (Owner of Fee Simple Title), have petitioned and requested the Fort City Plan Commission to hold a public hearing upon the vacation of the following public street and subdivision, in Fort Wayne, Allen County, Indiana, to-wit:

Lots # 4 thru # 10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street and subdivision.

WHEREAS, said vacation of street and subdivision has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Lighting Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said subdivision and street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and subdivision hereinbefore described be and the same is hereby approved, subject to the following:

- a. Required sewer easement 14 feet wide on the east side of Lot # 7 in Speedway Addition as requested by Water Pollution Control Engineering Department.
- b. Required 14 foot wide utility easement reserved along the south line of Lots # 4, 5 and 6 and the east 14 feet of Lots # 6 and 7 and the east 14 feet of Grandstand Way adjacent to the east line of Speedway Addition, Section 1, as required by Indiana and Michigan Electrical Company

BE IT FURTHER RESOLVED no public utility occupying and using said subdivision and street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and subdivisions in Allen County, Indiana.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, JOSEPH N. ADAIR, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 25, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 31st DAY OF August, 1977

FORT WAYNE CITY PLAN COMMISSION

Joseph N. Adair  
Joseph N. Adair  
Secretary

65-1-11 0/29/7;

R E S O L U T I O N

WHEREAS, CHARLES E. DOWNEY (Contract Buyer) and CHARLES D. MCKINLEY (Owner of Fee Simple Title), have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described subdivision and street, in Fort Wayne, Allen County, Indiana, to-wit:

Lots # 4 thru # 10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing has been given by due and proper publications thereof;

WHEREAS, said vacation of street and subdivision has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Lighting Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street and subdivision, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street and subdivision, hereinbefore described and the same is hereby approved subject to the following:

- a. Required sewer easement 14 feet wide on the east side of Lot # 7 in Speedway Addition as requested by Water Pollution Control Engineering Department.
- b. Required 14 foot wide utility easement reserved along the south line of Lots 4, 5 and 6 and the east 14 feet of Lots 6 and 7 and the east 14 feet of Grandstand Way adjacent to the east line of Speedway Addition, Section 1, as required by Indiana and Michigan Electrical Company.

BE IT FURTHER RESOLVED no public utility occupying and using said street and subdivision or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on August 29, 1977, and as the same appears of record in the official records of said Board of Public Works.

DATED THIS 29 DAY OF August, 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg  
Henry P. Wehrenberg, Chairman

Ethel H. LaMar  
Ethel H. LaMar, Member

Max G. Scott, Member



PETITION TO VACATE SPEEDWAY ADDITION  
SECTION 1, PLAT BOOK 32, PAGES 11-12  
ACCORDING TO THE RECORDED PLAT THEREOF  
FILED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY

The undersigned petitioner does hereby respectfully petition to the Fort Wayne City Plan Commission to vacate the following subdivision within the City of Fort Wayne, Indiana, more particularly described as follows:

Lots # 4 thru # 10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

In support thereof, your petitioner represents as follows:

1. That he is the owner of all the real estate in said addition.
2. That Grandstand Way is unopened and unimproved.
3. That no other person, firm or corporation is interested or affected by the requested vacation.
4. That said property's highest and best use is for commercial purposes and it would be to the best interests of the City of Fort Wayne that it be developed for commercial uses in larger plots than is now set out in the present addition.

5. Your petitioner files this petition pursuant to the authority granted in I.C. § 18-7-5-46 in order to complete the vacation of the above-described property.

WHEREFORE, your petitioner prays that the above-described plat be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 26th day of May, 1977.

Charles D. McKinley

Owner of Fee Simple Title

CEW

Contract Buyer

GRANT OF EASEMENT

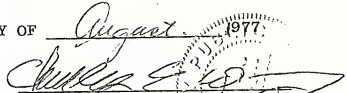
THIS INDENTURE WITNESSETH THAT: Charles E. Downey

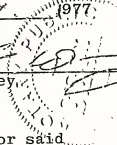
of Allen County, State of Indiana, hereinafter referred to as "GRANTOR", does hereby grant, quit-claim, and convey to INDIANA AND MICHIGAN ELECTRIC COMPANY, hereinafter referred to as "GRANTEE", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove any I & M poles and/or lines, along and across the following described real property, located in Allen County, State of Indiana, to-wit:

Lots # 4 thru 10 in Speedway Addition, Section 1, - a 14 foot wide utility easement reserved along the south line of Lots 4, 5, and 6 and the east 14 feet of Lots 6 and 7 and the east 14 feet of Grandstand Way adjacent to the east line of Speedway Addition, Section 1.

DATED THIS 22nd DAY OF August, 1977.

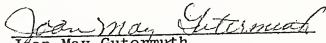
STATE OF INDIANA: )  
                          ) SS:  
COUNTY OF ALLEN: )

  
Charles E. Downey



Before me, the undersigned, a Notary Public in and for said county and state, personally appeared CHARLES E. DOWNEY who acknowledged the execution of the foregoing Grant of Easement, as and for voluntary act and deed, for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 22nd day of Aug., 1977.

  
Joan May Gutermuth  
Expiration Date: January 25, 1981

MY COMMISSION EXPIRES:

1-25-81

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT: CHARLES E. DOWNEY

of Allen County, State of Indiana, hereinafter referred to as "GRANTOR", for and in consideration of One Dollar, receipt of which is hereby acknowledged, does hereby grant, quit-claim, and convey to the CITY OF FORT WAYNE, herein-after referred to as "GRANTEE", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove a sewer line, along and across the following described real property, located in Allen County, State of Indiana, to wit:

An easement 14 feet in uniform width being the east 14 feet of Lot 7 of Speedway Addition as recorded by Plat Book 32, Pages 11 and 12.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

EXECUTED THIS 15<sup>th</sup> DAY OF August 1977.

Charles E. Downey  
Charles E. Downey

STATE OF INDIANA:

SS:

COUNTY OF ALLEN:

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared CHARLES E. DOWNEY who acknowledged the execution of the foregoing Grant of Easement, as and for voluntary act and deed, for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 15<sup>th</sup> day of August 1977.

MY COMMISSION EXPIRES:

Kaylyn Roemke  
Kaylyn Roemke

March 25, 1981

This instrument prepared by: Philip R. Boller

20 Number assigned by Bill Salin's Admn. Appr. \_\_\_\_\_

DIGEST SHEET office # 3654 \_\_\_\_\_

Subdivision and street vacation ordinance *B-77-06-42*

TITLE OF ORDINANCE \_\_\_\_\_

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION \_\_\_\_\_

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of  
the following subdivision and street:

Lots # 4 thru # 10 and all of Grandstand Way in Speedway Addition,  
Section 1, Plat Book 32, Pages 11-12, according to the recorded plat  
thereof filed in the Office of the Recorder of Allen County, Indiana.

EFFECT OF PASSAGE If vacated, property will be utilized by  
property owner for the building of a warehouse over street and lots,  
with access directly onto Speedway Dr.

EFFECT OF NON-PASSAGE Property will remain subdivided.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

*Regulations*



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

September 19, 1977

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of September 22, and September 29, 1977.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Zoning Map Ordinances:

Bill No. Z-77-06-14  
(as amended)  
Zoning Map Ordinance Z-23-77

Bill No. G-77-06-42  
General Ordinance No. G-33-77

Bill No. G-76-10-27  
(as amended)  
General Ordinance No. G-32-77

Bill No. G-77-07-31  
General Ordinance No. G-34-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CHW/ne  
ENCL: 4

Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines \_\_\_\_\_

Head number of lines \_\_\_\_\_

Body number of lines 99

Tail number of lines 1

Total number of lines in notice 100

## COMPUTATION OF CHARGES

100 lines, 1 columns wide equals 100 equivalent lines at .2594 \$ 25.90  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

## TOTAL AMOUNT OF CLAIM

\$ 27.40

## IMPUTING COST

Number of single column lines 9.9 Size of type 5 1/2 point  
Number of insertions 2 Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

*V. E. Gerken*

per 29, 1977

Title \_\_\_\_\_ CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is \_\_\_\_\_ CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 1, the dates of publication being as follows:

9/22-29/77

Subscribed and sworn to before me this 29th day of September 1977

My commission expires September 28, 1979

Notary Public

Notice is hereby given that on the 13th day of September, 1977, the Common Council of the City of Fort

Wayne, Indiana, in a Regular Session did pass the following BILL NO. G-77-06-42, G-33-77 General Ordinance, to-wit:

BILL NO. G-77-06-42  
GENERAL ORDINANCE NO. G-33-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain subdivision and street.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a certain subdivision and street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 19-7-5-44), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following subdivision and street, to-wit:

Lots No. 4 thru No. 10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to record plat thereon filed in the Office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT, Councilman Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, as read on its passage. PASSED by the following vote:

Ayes, Eight: Burns, Hinga, Hunter, Nuckolls, D. Schmidt, V. Schmidt, Slier, Talarico.

Noys, None.

Absent, One: Moses.

Date: 9-19-77

Charles W. Westerman, City Clerk Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-33-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk

John Nuckolls, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk, Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-33-77 passed by the Common Council on the 13th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of September, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of September, 1977.

Charles W. Westerman, City Clerk

9-22-77

Art  
W



Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

99

1

100

## COMPUTATION OF CHARGES

100 lines, 1 columns wide equals 100 equivalent lines at .259¢ cents per line

\$ 25.90

Additional charge for notices containing rule or tabular work (50 per cent of above unit)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 27.40

## PUTTING COST

9.9

Number of single column lines

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Provision and penalties of Ch. 89, Acts 1967,

That the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

Arvilla De Told

Mar. 29, 19 77

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S., the dates of publication being as follows:

9/22-29/77

Subscribed and sworn to before me this 29th day of September 1977

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 13th day of September, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. G-77-65-45, G-33-77 General Ordinance, to-wit:

BILL NO. G-77-65-45  
GENERAL ORDINANCE NO. G-33-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain subdivision and street.

Be It ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a certain subdivision and street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following subdivision and street, to-wit:

Lots No. 4 thru No. 10 and all of Grandsland Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT, Councilman Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight; Burns, Hinga, Hunter, Nuckolls, D. Schmidt, V. Schmidt, Siler, Talarica  
Nays: None  
Absent: One; Moses

Date: 9-13-77  
Charles W. Westernman, City Clerk Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-33-77 on the 13th day of September, 1977.

ATTEST: (SEAL)  
John Nuckolls, Presiding Officer Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westernman, City Clerk Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong, Mayor I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-33-77 passed by the Common Council on the 13th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of September, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of September, 1977.  
Charles W. Westernman, City Clerk  
9-22-79



To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

## LINE COUNT

Head	number of lines
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**Tail**      number of lines

Total number of lines in notice

### COMPUTATION OF CHARGES

100 lines, 1 columns wide equals 100 equivalent lines at 25¢  
cents per line 25.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

**Charge for extra proofs of publication (50 cents for each proof in excess of two)**

TOTAL AMOUNT OF CLAIM

### DATA FOR COMPUTING COST

9.9  
Width of single column ~~12~~ ems

Size of type..... $5\frac{1}{2}$ .....point

Number of insertions.....2.....

Size of quad upon which type is cast... 5<sup>1</sup>/<sub>8</sub>.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvids De Kald

Title.....CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

9/22-29/77

Subscribed and sworn to before me this 29th day of September 1977

Notary Public

My commission expires September 28, 1979

Date September 29 19 77

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Legal Notice

11 Movie \*\*\*\*\*

News 28

remains on file and on record in my office.

WITNESS my hand, and the official  
seal of the City of Fort Wayne, Ind.

ana, this 14th day of September, 1977.  
Charles W. Westerman, City Clerk

9-22-29